

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARTIN JONATHAN BATALLA VIDAL, et al.,

Plaintiffs,

- against -

KATHY A. BARAN, et al.,

Defendants.

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STATE OF NEW YORK, et al.,

Plaintiffs,

- against -

DONALD TRUMP, et al.,

Defendants.

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ORDER

16-CV-4756 (NGG) (JO)

17-CV-5228 (NGG) (JO)

James Orenstein, Magistrate Judge:

As discussed on the record at the conference in the *Batalla Vidal* action on September 14, 2017, I respectfully direct the parties to meet and confer about discovery. No later than September 22, 2017, the parties shall report their respective positions on the threshold question of whether discovery should proceed now or await the resolution of the defendants' anticipated motion for dismissal. By the same date, the parties shall submit their respective scheduling proposals in the event discovery is not stayed, as well as a proposed schedule for litigating any specific discovery disputes that the parties have identified as likely to arise. I will expect the parties to be prepared to discuss all matters relating to discovery at the next conference on September 26, 2017.

In light of the fact that the parties to the *Batalla Vidal* action have agreed to the filing of a second amended complaint that will include claims that overlap with those already asserted in *State of New York* action, I encourage the plaintiffs' counsel in the latter case to participate in the meet-and-confer process in the former. Although issue has not yet been joined in the *State of New York* action, the participation of counsel from that case in the discovery planning process in the *Batalla Vidal* action will help to avoid needless burdens on the parties in each case. I therefore invite counsel for

the parties in the *State of New York* action to appear at the conference in the *Batalla Vidal* action on September 26, 2017, and to participate in the discussion of issues relating to the discovery process.

SO ORDERED.

Dated: Brooklyn, New York  
September 15, 2017

\_\_\_\_\_/s/  
James Orenstein  
U.S. Magistrate Judge